RAJYA SABHA

Thursday^ the 3rd December, 1987/12 *Agrahayana,* 1909 *(Saka)*

The House met at eleven of the clock. Mr. Chairman in the Chair.

ORAL ANSWERS TO QUESTIONS

बंगलादेश द्वारा चकमा शरणार्थियों का वापस लिया जाना

*38. **श्रीमती रेणुका चौधरी** : क्या **विदेश** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि त्रिपुरा में बंगलादेश से आए चकमा शरणार्थियों को वापस लेने के लिए बंगलादेश सरकार ने अपनी इच्छा व्यक्त की है ;

(ख) यदि हां, तो इस संबंध में अभी तक क्या कार्यवाही की गई है और इसके परिणामस्वरूप कितने चकमा शरणार्थी बंगलादेश वापस चले गये है ; और

(ग) शेष शरणार्थियों के कब तक वापस चले जाने की संभावना है ?

विदेश मंत्रालय में राज्य मंत्री (श्री के नटवर सिंह) : (क) जी, हां ।

(ख) लेकिन बंगलादेश की सरकार ने चटगांव पर्वतीय क्षेत्र में ऐसी हालत पैदा करने के लिए आवश्यक कदम नहीं उठाए हैं जिनसे शरणार्थियों में विश्वास पैदा हो और वे लौट सकें । यही वजह है कि वे शरणार्थी वापस जाने को तैयार नहीं हैं ।

(ग) सरकार बराबर बंगलादेश की सरकार पर इस मामले की तत्काल पर जोर देती रही है। लेकिन बंगलादेश की ओर से कोई ठोस कार्रवाई न होने की वजह से यह नहीं बताया जा सकता कि ये शरणार्थी कब तक वापस जाएंगे ।

SHRI K. NATWAR SINGH: Sir, I am very impressed by the facility with which Shrimati Renuka Chowd- hury manages to get the first question. This is the second week in succession that she has done so.

MR. CHAIRMAN; You do not mean to say that you are charmed by her, other$_s$ are also.

PROF. C. LAKSHMANNA: Sir, if thi$_s$ is the case, then kindly let *us* know about that secret so that we will also get the same opportunity.

MR. CHAIRMAN; You first acquire the charm that she has got.

PROF. C- LAKSHMANNA: Sir. if that is the case, then all of us will have to pray for becoming charming.

श्री नटवर सिंह : मैं यह कह रहा था— जब खुदा हुस्न देता है तो किस्मत खल ही जाती है ।

SHRI A. G. KULKARNI. Sir, the secret of becoming charmng should bo made known to all the Members.

MR. CHAIRMAN: You meet her and get the secret.

SHRIMATI RENUKA CHOWDHURY; Sir, I would like the hon. Minister to clarify: is it not a. fact that first of all, the Chakma refugees have asked prior to the commencement of the process of return that a team consisting of refugee leaders. State officials, peoples 'representatives, selected Press Correspondents including the BBC should visit Bangladesh to assess the situation? This was, in fact, asked by the refugees and Bangladesh was to concede to the demand for autonomy to Chakma tribals meaning that the CHT should be declared an autonomous region with a Legislative Assembly of its own. To safeguard the rights of the tribals the Constitution should provide a guarantee in this regard on the model of the Parbatya Chal- lagram Constitutional Reforms of 1900 and the office of the Tribal King should be preserved and there should be specific provisions in the Constitution to bar any amendment or modification of the Constitution regarding the CHT affairs. This was the definition of the autonomy of the CHT. Now. has the Government taken cognizance of this? Are you working within these parameters and are you going to guarantee land safety for the tribals?

SHRI K. NATWAR SINGH: Sir, the question refers to the Chakma refugees. Now, what the hon. Mem ber has mentioned is with regard to certain constitutional provisions which relate to the internal affairs of the Government of Bangladesh. Sir, we have seen this. The question refers to the Chakma refugees. What the hon. Member mentioned is with regard to the Constitutional provision. We do not want to get involved in the internal affairs of Bangladesh. What they do with regard to the question of different areas, I do not know. But, I would like, with your permission, to inform the House that this question of return of the refugees, Chakma refugees, who have come to India particularly in large numbers since May 1986, has been taken up at the highest level and most recently, by the Prime Minister with the President of Bangladesh. It has been taken up at official levels. It hag been taken up at the level of the local administration. Now, the re-fugees do not feel confident enough that the conditions that prevail in the CHT have been improved in any way. They have to go back without any assurance of safety. This is what we are trying to Impress upon the Bangladesh (Government. The responsibility for their welfare and safety is theirs. While we have a historic tradition of welcoming re-fugees from anywhere, we would like them to go back to their country.

SHRIMATI RENUKA CHOWDHURY: When you have intimated us that the matter has been taken UP at variou: levels, the work is in progress, etc. etc., you have not been able to have a frame-work, you have not been able to give a time-frame within which you can operate which means you have not been able to bring about a cohesive attempt. So. that means you have taken cognizance of the fact that there is trouble going on. We are unable to do anything about it. Yet we talk of welfare of the tribals. Are you going to send the Indian Peace Keeping Force to look after the areas there?

SHRI K. NATWAR SINGH; You have asked a serious question. How do you think... *(Interruptions)*

SHRIMATI RENUKA CHOWDHURY: It is serious. Bangladesh... *(In. terruptions)*

SHRI K. NATWAR SINGH: What I am trying to say is, obviously the conditions prevailing in the Chitta-gong Hill Tracts are far from peace ful or satisfactory. That is why they have come away. You have ask ed about the time-frame. We would like them to go back as soon as pos sible. They are, in spite of the fact that we are a generous Govern ment, a burden on the local Gov ernment. The assurance is given to the Prime Minister by the Presi dent of Bangladesh given to Mr.Narasimha Rao when he was there that they will be taken back. It is their responsibility. We are taking the word in good faith. The condi tions in Bangladesh, as you know, at the moment are not satisfactory as well. There have been problems. We will keep in touch with them at all levels. They must take these refugees back. It is their responsi bility. We will go to humanitarian organizations too. The conditions prevailing there are most unsatisfact ory and we would like them to go back. We are trying our best at every level to impress upon the Gov ernment.

SHRIMATI RENUKA CHOWDHU-RY; He has said that the work is being carried on. He has also said they are trying their best to impress upon the Government. What is it that at Government has actually achieved in the matter of Chakma refugees?

MR. CHAIRMAN: Your supple mentary is over. Mr. Jaswant Singh. *(Interruptions)*

SHRI JASWANT SINGH; With your permission, I seek two clarifi cations, Sir. The first is; Was there a time-frame agreed upon between India and Bangladesh within which the Chakma refugees were to go back t_0 the Chittagong Hill Tracts? The other is: Is it a fact that about 100 Chakma refugees. Children ranging in age between 5 and 7 years, have been sent away from Tripura against the advice, against the specific ob jections of the Chief Minister of Tri pura to France? If these refugees have been sent to France against the advice and the opposition of the Chief Minister of Tripura, through an a gency called Partage, why has it been permitted and what is the Government going to do to ensure that such a degrading performance is not repeated?

SHRI K. NATWAR SINGH: Sir, I do not have the details on this particular matter. We wil) go into it and inform him. *(Interruptions)*

SHRI JASWANT SINGH; It has been widely reported that this Trench orphanage, by name Partage. had worked in Tripura for the Past two years. It has taken away about 100 Chakma refugees despite the opposition of the Tripura Chief Minister and the Government of India, till today, does not have... t Interruptions)

MR. CHAIRMAN: You have asked it. He will get the information. *(Interruptions)*

SHRJ ATAL BIHARI VAJPAYEE: What about the first part of the question? Was there a time-frame' *(Interruptions)*

MR, CHAIRMAN: Reply to which question?

SHRI ATAL BIHARI VAJPAYEE: - Time-frame for the return of the refugees.

SHRI K. NATWAR SINGH: As I said earlier, it is very difficult to say anything. We would say. "All right, we will ask the refugees to go back within a week. " But the Government of Bangladesh is unable to tack them back within a week.

DR. H. P. SHARMA; The basic reason for this Chakma problem has been the Government's attempt to shift Muslims from the plains areas to non-plains areas and the mounting pressure on the ethnic Hindus and Buddhists to embrace Islam. To give a legal clout to this political decision, the Constitution was amend ed and the CHT was removed and ethnic tribes were redesignted as Bengali Muslims. My question ref-erg to this basic Constitution Amendment. I can see the point that if you discuss it with Bangladesh, they will say it is under their sovereign concern. But So long as we can, we try to resolve this problem by friend. ly talks and discussions. Will the Government bring up this question of Constitutional Amendment where they have been blanketly redesignated as ethnic Muslims?

SHRI K. NATWAR SINGH: This is a much larger question, as I said earlier...

श्री राम अवधेश सिंह : जवाब नहीं आ रहा है सही ।

श्री के० नटवर सिंह : आसान है कह देना कि जवाब नहीं आया, यहां बैठकर देखिए . . .

श्री एन०के०पी० साल्वे : ऐसा मत कहिए, देश का क्या होगा ? . . (व्यवधान)

श्री के० नटवर सिंह : मौका नहीं आएगा उनका यहां बैठने का इसलिये तो मैंने कह दिया . . . (व्यवधान)

First I would like to answer Shri Jaswant Singh's question. I have

just received this piece of information. Seventytwo Chakma children went to France with the full concurrence of all the concerned, including the Chakma leaders and the Government of Bangladesh. If there is any more information I will pass it on to you...

PROF. C. LAKSHMANNA; The question is not about Bangladesh officials. The question is about the opposition of the Tripura Chief Minister. You have said "all concerned, You included Chakma leaders and Bangladesh officials. The question was whether there was opposition from the Tripura Chief Minister, whether it has been to the satisfaction of Tripura Chief Minister.

SHRI K. NATWAR SINGH: May I very respectfully clarify that these refugees are the citizens of Bangladesh; they are not Indian citizens...

PROF. C. LAKSHMANNA; But they are in India; they are in Tripura.

snare your anxiety with regard to the treatment being meted out by them. (Interruption) I would like to confine myself, with your permission, Mr. Chairman, to the specific question here and I think there should be some precision in the discussion. The question relates to the Chakma refugees -and not to the Constitutional Amendments of the Bangladesh Government over which the Government of India has constitutionally no claim. We can certainly bring it to their notice that we are concerned because they are our neighbour. And Sir, if this influx continues and affects the conditions on our borders and our operations, then we will bring it to their notice. Now. with regard to the treatment meted out to the ehakmas, this is the main problem. They are getting the wrong kind of treatment and the conditions are madeeimpossible for themto live and survive there and that is why they have become refugees. We have impressed upon the Government, as I have said repeatedly_ at the highest level, constantly I have done it and I myself at Kath-mandu spoke to the Foreign Minister and said. "You must take them back and they will have to be taken back. " But, at the lower levels, every conceivable hurdle is being placed and that is a matter of serious concern to us.

DR. H. P. SHARMA: But they have been called ehtnic Muslims.

MR. CHAIRMAN; Yes, Mr. Sukomal Sen.

SHRI K. NATWAR SINGH: May 1 also add further one thing? While there was opposition from the Chief Minister of Tripura the Government of Tripura formally handed the children over tO them in Tripura.

SHRI SUKOMAL SEN; Sir. the matter is serious. I would like to draw the attention of the Minister to an earlier reply to the same question. Unstarred Question No. 677, wherein it was said that on December 29, 1986 there was a meeting between two officials from this side and from that side and they agreed that the Chakmas could be repatriated and a group of Chakma leaders also met them and saidthat the conditions were not safe for their return. But you say that there is a continuing influx of refugees into Tripura from the Chittagong hill tracts. When these things continue and if the continuing influx of the Chakma refugees is still there from Bangladesh into Tripura, you say that the talks are going on and that you have also talked to the Bangladesh authorities at the ministerial level. If this happens, we cannot allow the constant Influx of people because that will create a law and order problem there

and ethnic problem in Tripura which Is already having people of different ethnic groups. I would like to know what you are going to do from the Government side to pressurise the Bangladesh Government so that a proper atmosphere is created in the Chittagong hill tracts and these people can return. What steps are you going to take tor their repatriation? What are you going to do In this regard? You are going to have talks simply or you are going to take concrete steps? You please clarify this.

SHRl K. NATWAR SINGH: Sir, I entirely agree with the sentiments expressed by the honourable Member and_ as I said, this matter is taken at the level of the Head of Government and it is a pretty serious thing. And the next thing is confrontation which we want to avoid on this. That is number ©net For example, the excuse is given that they have only been able to verify 27, 000 refugees out of fifty thousand refugees or more and another 23, 000 are yet to be verified. We have told then, "You must do it in a moreefficient and prompt manner". I entirely agree with you that this kindof activity, this kind of a thing, is unacceptable.

MR, CHAIRMAN; Mr. Basumatari.

SHRI DHARANIDHAR BASUMATARI: Sir, I know about this very well and I happened to meet some Chakmas also. Their land has been usurped by those people there and there is no land at all for them. Even if it is there, they are sent back. May I ask the honourable Minister whether he will, from a humanitarian point of view, try to settle them here itself rather than sending them back there to be butchered or to be converted by the Bangladesh people? I also want to know the mind of the Prime Minister on this issue because he has had talks with the President of Bangladesh. What is the attitude of the President of Bangladesh? Do you want to see to their safety or not ? How can they be assured of safety? From a humanitarian point of view, would you try to settle them here so that they can live like any other human beings?

श्री राम अवधेश सिंह : इन्होंने प्राइम मिनिस्टर साहब से पूछा है । वे हाजिर हैं । इसलिये इसका जवाब उनको देना चाहिए । यह बहुत ही सीरियस मामला है, अन्तरराष्ट्रीय मामला है और प्राइम मिनिल्टर साहब इस समय हाजिर हैं इसलिये प्राइम मिनिस्टर साहब को इसका जवाब देना चाहिए ।

SHRI RAJIV GANDHI; Mr. Chairman, Sir, I appreciate Natwar Singh-ji's gesture of exchange of places with the honourable Member. We do not want to have such an exchange! My Minister is quite capable of handling this question.

(Interruptions)

SHRI K. NATWAR SINGH: I am most grateful to you for the generous reference that you made.

Now. the question that you have raised is a very important and a very serious question. Apart from the purely rehabilitation and refugee aspect of it, it has a very serious, deljcate and sensitive humanitarian aspect. And this aspect was also brought to the attention of the authorities by the Prime Minister and by myself, and Shri Naraslmha Rao— the President, the Foreign Minister and other authorities. I fully share your anxiety and agony in this regard.

SHRI VIRENDRA VERMA; With what result? (Interruptions)

श्री अटल बिहारी वाजपेयी : सभापति जी, जवाब नहीं आया

श्री वीरेन्द्र वर्मा : रिजल्ट क्या हुआ, क्या उन्होंने कहा ?

श्री राम अवधेश सिंह : एक ही जवाब बार-बार दोहरा रहे हैं, हर सवाल का एक ही जवाब दे रहे हैं ।

श्री वीरेन्द्र वर्मा : बात की है इन्होंने लेकिन क्या एश्योरेंस दिया उन्होंने ?

श्री के० नटवर सिंह : मैं बहुत नम्रतापूर्वक यह कहना चाहता हूं कि जिन माननीय सदस्य ने सवाल पूछा है वे तो मुझे संतुष्ट नजर आते हैं ।

श्री राम अवधेश सिंह : यह सदन की सम्पत्ति है, सवाल-जवाब सदन की सम्पत्ति है । दो आदमी के बीच में नहीं, सरकार और मैम्बर के बीच का नहीं बल्कि कोई सवाल जवाब यहां होता है तो वह सदन की सम्पत्ति है और किसी को भी उस पर पूछने का हक है **(व्यवधान)**

श्री सभापति : जहां तक सप्लीमेंटरी का सवाल है, जिसने सप्लीमेंटरी पूछा है उसका इम्पोर्टेंस होता है ।

श्री वीरेन्द्र वर्मा : लेकिन जवाब तो संतोषजनक नहीं है।

श्री के० नटवर सिंह : सभापति महोदय, आपने यह सवाल किया कि क्या सरकार इस बात पर विचार कर रही है कि उनको यहां परमानेंट तौर पर लिया जाए या नहीं । देखिए, अगर यह हम को पता लग जाए वहां की सरकार से कि यह बिलकुल वापिस वहां नहीं जाएंगे तो इसके दो पहलू हैं । एक तो यह है कि जब उनकी मरज़ी चाहे वह ऐसी स्थिति वहां बना सकते हैं ताकि जो चकमा बंगलादेश में इस समय है सभी को वे हिन्दुस्तान भेज दें, उसका कोई अंत नहीं होगा, लाखों की संख्या में आ जाएंगे । तो यह गलत बात होगी । मगर कोई वजह नहीं कि वो वहां न जा सकें । यदि ऐसी स्थिति आए तो हमारी जो परम्परा रही है उसके सवाल पर जरूर गौर किया जाएगा, क्यों नहीं किया जाएगा।

श्री बी० सत्यनारायण रेड्डी : सभापति जी, यह जो चकमा शरणार्थी है बड़ी तादाद में लाखों की तादाद में यहां आए हुए हैं; हिन्दुस्तान के त्रिपुरा राज्य में बसे हुए हैं तथा भारत सरकार और बंगलादेश की सरकार के बीच में चकमा शरणार्थियों की वापसी के लिये बातचीत भी हुई है । मन्त्री महोदय ने अपने प्रश्न के उत्तर में बताया कि दोनों सरकारों में बातचीत हुई है लकिन उनके उत्तर में यह नहीं बताया गया कि निर्धारित समय में इन शरणार्थियों को वापिस जाने का प्रबन्ध किया जाएगा या बंगलादेश की सरकार ने कोई ऐसा आश्वासन दिया, यह भी उत्तर नहीं आया । दूसरी बात मैं मन्त्री महोदय से यह जानना चाहता हूं कि जो शरणार्थी इतनी बड़ी तादाद में हिन्दुस्तान में आए हुए हैं उनकी जमीनात वगैरह जो छिटकांग में छीन ली गई इसके सम्बन्ध में भी बंगलादेश की सरकार से क्या कोई बातचीत हुई है और उनके जो घर वगैरह, जमीनात वगैरह छीने गये हैं उनको वापिस दिलाने के लिए या उनको सुरक्षित रखने के लिए क्या इन्तजाम किये जा रहे हैं । इस दौरान जब वे यहां आए हुए हैं और जब वापिस जाएंगे तो क्या उनका उनके घर और जमीन या जायदाद वगैरह जो छीनी जा चुकी है उसको वापिस दिलाने के बारे में कोई बातचीत हुई है या उनकी सुरक्षा का इन्तजाम किया गया है या नहीं ?

श्री के० नटवर सिंह : जैसे कि मैंने अर्ज किया यह सवाल हर लेवल पर मेजीस्ट्रेट के लेवल पर, पुलिस के लेवल पर, होम सेक्रेटरी के लेवल पर, फारेन मिनिस्टर्ज के लेवल पर, प्राइम मिनिस्टर के लेवल पर उनसे उठा लिये गये हैं और इसके हर पहलू में गये हुए हैं । यह लोग यहां पर आए भारत में आए, वहां उन पर क्योंकि अत्याचार हो रहा है और जब इन से कहा गया कि आप वहां जा कर देख लीजिये। उनके जो रहनुमा थे जो उनके लीडर थे वहां वे गये उन्होंने जो सूरतेहाल देखा वह उनको संतोषजनक नहीं लगा । उन्होंने कहा कि जब तक स्थिति सुधर नहीं जाएगी जब तक अत्याचार कम नहीं होगा जब तक हमारी जमीनात जायदाद वापिस नहीं दी जाती तो हम वापिस जा कर के क्या करेंगे । इसी पर बहस हो

रही है। यह कहा जा रहा है कि जब तक आप यह स्थिति पैदा नहीं करेंगे कि यह लोग वहां जा सकें और चैन तथा अमन से रह सकें । क्योंकि वे वहां के बाशिंदे हैं वहां के रहने वाले हैं । जैसे आपने कहा कि टइम फ्रेम हम को बता दो एक महीना, दो महीना, तीन महीना, चार महीना, कह रहे हैं कि जल्दी से जल्दी होगा । अटल बिहारी वाजपेयी जी ने सवाल पूछा, आप तो जानते ही हैं विदेश मन्त्री रह चुके हैं कि बातचीत में कैसे पेचीदा सवाल पैदा होते हैं और उनका क्या जवाब मिलता है ।

SHRI BIR BHADRA PRATAP SINGH: Sir, I know that the hon. Minister is a very learned person. So far as international law is concerned, they may be citizens of Bangladesh. But there is a law of domicile which is applicable. Since they are living in India we cannot say that there is no legal responsibility of India, apart from other responsibilities. In cass the Bangladesh Government is not responding well to the situation, will it be possible for us to raise it in the forum of other international agencies which are available, for Instance, International Human Rights Commission or some other agency of the United Nations in order to settle this Problem so that they do not become a permanent responsibility of India, so that they may not come to India time and again and So that they may settle in Bangladesh?

SHRI K. NATWAR SINGH; As regards the law of domicile, the matter pertains strictly to the Ministry of Home Affairs and the Ministry of Law. I can only say that the issue of refugees has regularly been taken up at the Human Rights Commission.

श्री चतुरानन मिश्र : सभापति महोदय, सरकार के जवाब में कहा गया है कि बंगलादेश की सरकार ने नेसेसरी स्टेप्स नहीं लिये हैं जो उस तरह का माहौल पैदा करें कि जिसमें ये लोग वापस जा सकें । मैं जानना चाहता हूं कि हमारी सरकार के ख्याल में कौन-कौन से ये नेसेसरी स्टेप्स हैं, एक-एक बिंदु को सरकार बताये कि उस पर बंगलादेश की सरकार क्या कार्यवाही कर रही है ? अगर उसकी नामंजूरी होती है तो हमारी सरकार आगे क्या कार्यवाही करने जा रही है ? इन तीन बिंदुओं पर स्पष्टीकरण दीजिए ।

श्री के० नटवर सिंह : देखिए तीनों जो आपने सवाल पूछे हैं उनका मैंने उत्तर दे दिया है । 11 अगस्त में प्रेजीडेंट इरशाद से हमारे डिप्टी हाई कमिश्नर की मीटिंग हुई तो उन्होंने यह कहा कि :

1. He would introduce legislation to meet the legitimate demands of the Chakmas.

2. He wanted our help fin con vincing the Chakmas about his Government's intentions.

3. He promised to end the settle ment of non-tribals in the Chittor gong hills and provide for the economic betterment of tribals.

4. He agreed to withdraw the Army from the Chittagong hill tracts.

यह वहां के राष्ट्रपति ने हमारे हाई कमीशन के आला अफसरों से कहा । हम इसका इंतजार कर रहे हैं कि इसमें उन्होंने क्या कार्यवाही की है । जब नवम्बर में प्रधान मंत्री जी ने इरशाद साहब से भेंट की तो यह सवाल आया, उन्होंने फिर यही दोहराया । अभी हाई कमिश्नर आये थे, हमने फिर उनसे कहा कि पता तो करिए कि क्या हुआ ।

*382. *[The* questioner (Shri Chitta *Basu) was absent. For answer,* vide col 29 infra]

* 383. *[The questioners* (Prof. Chandresh P. *Thakur and Shri Kapil Verma) were absent. For answer,* vide col. 30 infra]

•384. [The questioner *(Shri Subas Mohanty) was* absent. *For answer,* vide col. 31 infra]